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Order

BEFORE THE BOARD OF DIRECTORS  
OF THE  
BOISE WARM SPRINGS WATER DISTRICT  
OF ADA COUNTY, IDAHO

IN THE MATTER OF THE INCLUSION OF CERTAIN )  
PROPERTY IN THE BOISE WARM SPRINGS WATER )  
DISTRICT OF ADA COUNTY, IDAHO, owned by )  
KIRK KEOGH )

ORDER

THIS MATTER came on regularly to be heard before the Board of Directors of the Boise Warm Springs Water District at a regularly called and convened meeting the 13<sup>th</sup> day of August, 2008, upon a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District filed and presented by Kirk Keogh, Petitioner and Owner of said property, a copy of which Petition marked Exhibit "A" is attached herein and made a part hereof by reference and attachment, and to a Notice of Hearing, said Petition for Annexation at this time and place published in The Idaho Statesman, a newspaper published in Boise, Idaho, and of general circulation in the District, on the dates of July 29, August 5, and August 12, 2008, the proof of which more fully appears in the Affidavit of Publication marked Exhibit "B" being attached hereto and incorporated herein and made a part hereof by incorporation and attachment. No person appeared to protest or object to the annexation (inclusion) of the property owned by the Petitioners.

Upon examining the Petition of Annexation (inclusion) of Property, hearing and examining the Petitioners and examining all proof (documentary and oral) submitted to the Board's consideration, the Board found and concluded that (i) the said Petition of Annexation (inclusion) of Property was in substantial compliance with law and executed by the Petitioners and acknowledged in the manner required by law; (ii) it would be in the best interest of the District and the Property affected to annex and include the property of the Petitioners, subject to all conditions enumerated in the said Petition and as hereinafter specified; and (iii) the Notice of Hearing of said Petition was given in the manner required by law.

NOW, THEREFORE, it is ORDERED that it would be in the best interest of the Boise Warm Springs Water District of Ada County, Idaho, that the property particularly and specifically described by Exhibit "A", attached hereto and incorporated herein by attachment, be, and the same hereby is, annexed and included within the boundaries of the Boise Warm Springs Water District, subject to all of the (i) limitations and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code; (ii) all conditions enumerated and specified in the Petition for Annexation marked Exhibit "A", incorporated herein and made a part hereof by attachment; and (iii) subject to all conditions specified in the motion for annexation as passed at the Board meeting of August 13, 2008.

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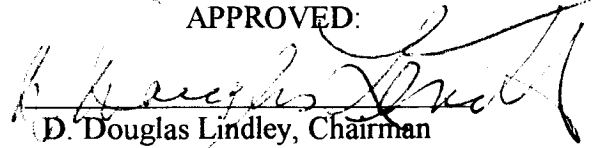
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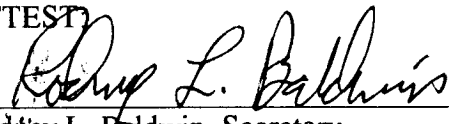
It is furthered ORDERED that the Attorney for the District file a certified copy of the ORDER together with copies of the attachments (Petition for Annexation, Affidavit of Publication and specific descriptions of the property annexed) with the Clerk of the District Court and obtain approval of the District Court of this ORDER.

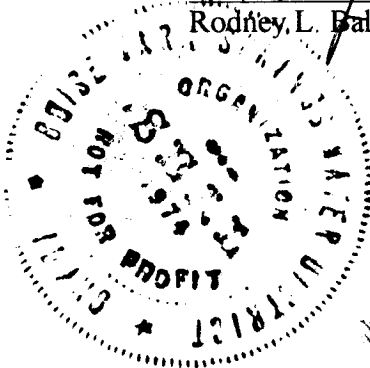
ADOPTED AND APPROVED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho this 17<sup>th</sup> day of December, 2008.

APPROVED:

  
D. Douglas Lindley, Chairman

ATTEST

  
Rodney L. Baldwin, Secretary



**EXHIBIT "A"**

BEFORE  
THE  
BOARD OF DIRECTORS

OF THE

BOISE WARM SPRINGS WATER DISTRICT

IN THE MATTER OF THE ANNEXATION	)	PETITION
OF PROPERTY TO THE	)	TO
BOISE WARM SPRINGS WATER DISTRICT,	)	ANNEX
a political subdivision of the STATE OF IDAHO.	)	No. 2008-01

THE UNDERSIGNED PROPERTY OWNERS:

KIRK KEOGH

Account No. *1344H*

Tax Parcel No. R2039250790

Legal Description: LOTS 7 AND 8, BLOCK 6 OF THE EAST SIDE ADDITION TO BOISE, AS FILED IN BOOK 1 OF PLATS AT PAGE 6, RECORDS OF ADA COUNTY, IDAHO.

Property Address: 1015 E. JEFFERSON STREET  
BOISE, IDAHO 83712

Do hereby petition the Board of Directors of the Boise Warm Springs Water District ( hereinafter "District") to annex to, and include within, the boundaries of the District the following described real property, together with (1) all improvements and appurtenances appertaining thereto and (2) all public streets, roads and alleys, abutting, adjoining and touching the hereinafter described property:

LOTS 7 AND 8 OF BLOCK 6 OF THE EAST SIDE ADDITION TO BOISE, AS FILED IN BOOK 1 OF PLATS AT PAGE 6, RECORDS OF ADA COUNTY, IDAHO, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN, BOISE, ADA COUNTY, IDAHO.

In support of this Petition to Annex, the Petitioners covenant and agree as follows:

(1) That the undersigned is (are) the lawful owner(s) of record of the above described real property (or are the purchasers by an unrecorded contract of sale with the authority to petition for annexation).

(2) That the undersigned has (have) paid, at the time of filing this petition with the District, the Annexation Fee of \$ (WAIVED) fixed and established by the pertinent Resolution of the District, the receipt of which is hereby acknowledged. It is further acknowledged that, in unforeseen and extraordinary circumstances, it may be necessary to impose an additional charge to cover the costs incurred in the administrative process of annexing the above described property.

(3) That the undersigned has (have) contracted, at his (their) cost and expense, a main line and a service line from a building or structure to the District's water line, together with all the necessary appurtenances and machinery, in a manner and at the place designated and directed by the District, and in accordance with the plans, specifications and drawings approved by the District, its officers, agents and employees.

(4) That the undersigned hereby assigns, transfers and sets over to the District all rights, title, and interest in and to that portion of the main line and service line extending from the Petitioner's property line to the District's water line together with all necessary appurtenances and machinery thereto.

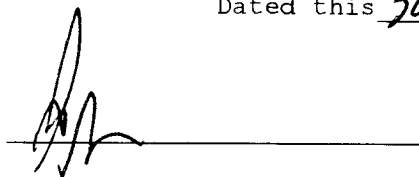
(5) The above described property is improved. It is now being used as:

A SINGLE FAMILY RESIDENCE.

(6) It is understood by the undersigned that this petition is made pursuant to Section 42-3218, Idaho Code, as amended, and that the setting of a time and place for hearing of said petition and publication of notice of said hearing pursuant to law does not construe acceptance of said petition by the District. Pursuant to the aforesaid statute, the Board of Directors may impose such terms and conditions under which said property may be included within the District as the Board sees fit, said conditions, however, to be announced prior to the hearing. After said announcement, petitioners may have the right to withdraw said petition, but shall have the right to reimbursement of the annexation fee or additional charges as above set forth.

WHEREFORE, your petitioner(s) pray that the said Board of Directors of the Boise Warm Springs Water District accept this Petition and set a time for the hearing and publish notice thereof in accordance with law, and upon hearing, order the inclusion of the above described property within the boundaries of the Boise Warm Springs Water District in accordance with the terms of this Petition.

Dated this 30th day of JUN, 2008.



A handwritten signature in black ink, appearing to be 'JH', is written over a horizontal line. Below this line is another horizontal line.

STATE OF Idaho )

) SS.

COUNTY OF Ada )

On this 30th day of JUNE, 2008, before me a Notary Public in and for the State of \_\_\_\_\_, personally appeared KIRK KEOGH and \_\_\_\_\_, known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (they) executed the same.

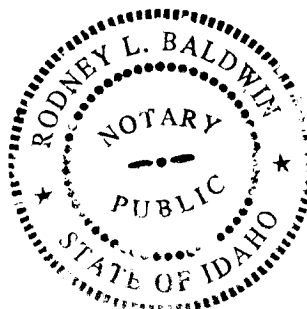
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in the certificate first above written.

SEAL)

Rodney L. Baldwin  
Notary Public for Idaho

Residing at Burien, Idaho

My Commission expires: 10/05/2010



This plat is an inaccurate copy of the original on file in this office. Therefore, a true copy of the original has been attached hereto.

Dated this 19th day of March, 1959.

VERN THOMAS County Recorder, Ada County, Idaho.

# PLAT OF **EAST SIDE,** BOISE CITY, ADA CO., IDAHO.

Situate in Sections 11, 12, 13 N., R. 2 E. of Boise Meridian.

SCALE 200 FEET TO 1 INCH.



I, Samuel G. Rhoades, do hereby certify that this plat is a true and correct copy of the original on file in this office. Therefore, a true copy of the original has been attached hereto.

Dated this 19th day of March, 1959.

Samuel G. Rhoades,  
Recorder.

Filed for record at the request of Walter S. Brown, Trustee for East Side Addition Company, Lewis and Clark Co., Idaho, and of William S. Cagle, agent of East Side Addition Company for Milling and Bushy lands, this thirty first (31) day of May, A.D. 1890.

W. B. Mearns,  
Notary Public for Idaho.

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HOT SPRINGS  
S 58° 55' E. 684.4'

AVE. S 58° 57' E. 759.5'

STONE

WALNUT

N 51° 18' E. 1399.4'

OCEUST

N 31° 55' E.

2157.3 Ft.